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HOUSE BILL 3261

By Phelan

AN ACT to amend Chapter 192 of the Private Acts of 1953; as amended by Chapter 197 of the Private Acts of 1990; and any other acts amendatory thereto, relative to the Gibson County Utility District.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 192 of the Private Acts of 1953, as amended by Chapter 197 of the Private Acts of 1990 and all other acts amendatory thereto, is hereby amended by deleting Section 4 in its entirety and by substituting instead the following:

SECTION 4. Notwithstanding the provisions of this chapter or any other law to the contrary, the Gibson County Utility District of Gibson County, Tennessee, shall be governed by a board of commissioners, members of which shall be elected by the people at the county general elections in 2002 and every two (2) years thereafter. The commissioners shall be elected from all of the voting precincts of Gibson County, with the exception of the area served by the Humboldt Municipal Utility Department of Humboldt, Tennessee. The Gibson County Legislative Body shall periodically prescribe and apportion electoral districts for the board of commissioners in such a way that the principle of "one man, one vote" is followed as closely as possible, without dividing

voting precincts. Individuals may run for the office of commissioner from the district in which they reside or own property.

The terms of the commissioners of the Gibson County Utility District taking office September 1, 2002, shall be staggered as follows:

District No. 1 -- 4 years

District No. 2 -- 2 years

District No. 3 -- 4 years

District No. 4 -- 2 years

District No. 5 -- 4 years

Thereafter, each commissioner shall be elected to a four (4) year term. The commissioners taking office September 1, 2002, shall serve no more than two (2) full four-year terms in addition to any term of less than four (4) years.

In the event of a vacancy in the office of commissioner as a result of death, resignation, removal or moving from the district from which the commissioner is elected, the county executive, with the approval of the county legislative body, shall have the power to appoint a qualified person to fill such vacancy.

All other duties, rights, compensation, and powers of the Commissioners of the Gibson County Utility district shall be governed by the Utility District Act of 1937.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Gibson County Legislative Body. Its approval or nonapproval shall be proclaimed by the presiding officer of the Legislative Body and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.